



Department of Energy
National Nuclear Security Administration
Office of the General Counsel
P. O. Box 5400
Albuquerque, NM 87185



SENT VIA EMAIL: foia@americanoversight.org

Mr. Austin R. Evers
American Oversight
1030 15th Street, N.W., Suite B255
Washington, D.C. 20005

RE: FOIA 19-00129-DD

Dear Mr. Evers:

This letter is the final response to your February 14, 2019, request for information that you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. You requested:

All records reflecting communications (including email messages, email attachments, calendar invitations, memoranda, or background material for meetings, or handwritten or typed notes taken during meetings) between any political appointees at your agency and any employee or representative of Ballard Partners, including, but not limited to, any of the following individuals:

- Any individual using an email address ending in ballardfl.com.
- Brian Ballard;
- Sylvester Lukis;
- Susan "Susie" Wiles;
- Dan McFaul;
- Rebecca Benn;
- Justin Sayfie;
- James "Jamie" Rubin;
- Otto Reich;
- Raj Shah;
- Pam Bondi;
- Robert Wexler;
- Jose Felix Diaz;
- Katherine San Pedro;
- Karl Bowers;
- Sara Pennington;
- Hannah Walter; or
- Sara Nuvy.

In a February 27, 2019, email exchange with Ms. Stephanie Ostrowski, of DOE, Mr. Daniel McGrath, of your office, agreed “to limit the search to email communications (including emails, attachments, and calendar invitations) to, from, cc’ing, or bcc’ing emails with the domain name ballardfl.com.”

We contacted the FOIA POC for the NNSA Office of Policy, about your request. The Office of Policy searched and did not locate records responsive to your request. The Office of Policy asked the Office of Information Management to search for records. The Office of Information Management searched the political appointees for NNSA – Lisa Gordon-Hagerty, Joshua Hodges, William Joyce, Nora Khalil, Brent Park, Minerva Salina and Charles Verdon, Administrators, email/email addresses, email attachments, calendar invites, memoranda and background material for meetings or handwritten typed notes taken during meetings as specified in your request for the period between January 20, 2017 to March 20, 2019 (date search was conducted) using keywords and variations of keywords as stated in the request. A thorough search of these records was completed by the Office of Information Management and after a review by the Office of Executive Secretariat, it was determined that there were no responsive records located pertinent to this request.

This decision, as well as the adequacy of the search, may be appealed within 90 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals should be addressed to Director, Office of Hearings and Appeals, HG-1, L’Enfant Plaza, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-1615. The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. You may also submit your appeal to OHA.filings@hq.doe.gov, including the phrase “Freedom of Information Appeal” in the subject line (This is the method preferred by the Office of Hearings and Appeals). The appeal must contain all of the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either: 1) in the district where you reside; 2) where you have your principal place of business; 3) where DOE’s records are situated; or 4) in the District of Columbia.

There are no charges to you for processing your FOIA request.

If you have questions about the processing of this request, please contact Donna Del Rio by e-mail at donna.delrio@nnsa.doe.gov or write to the address at the top of the first page. Please reference Control Number FOIA 19-00129-DD.

Sincerely,



Pamela Arias-Ortega
Authorizing Official